



*Secretary*  
PATENT

ATTORNEY DOCKET NO.: 80168-0105

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Mark A. KAMPE et al. )  
Application No.: 09/845,770 ) Art Unit: 2161  
Filing Date: May 2, 2001 ) Examiner: UNASSIGNED  
For: METHOD AND SYSTEM FOR ACHIEVING )  
HIGH AVAILABILITY IN A NETWORKED )  
COMPUTER SYSTEM )

Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

This is in response to the Notice to Filing Missing Parts, dated June 22, 2001, in the above-identified application.

1. Combined Declarations and Power of Attorney  
 Enclosed (Four {4} total).  
This application was filed without an executed Declaration and Power of Attorney.
2. Assignment  
 An assignment of the invention to **SUN MICROSYSTEMS, INC.** and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.  
 An assignment will be filed at a later date.

## 3. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee
				Utility \$710.00 Design \$310.00
Total Claims (37 C.F.R. §1.16(c))	29 - 20 =	9	\$ 18.00 each=	+\$ 162.00
Independent Claims (37 C.F.R. §1.16(b))	8 - 3 =	5	\$ 80.00 each=	+\$ 400.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			\$ 260.00	+
				<b>SUB-TOTAL = \$ 1,272.00</b>
Surcharge under 37 C.F.R. § 1.16(e)			\$ 130.00	\$ 130.00
				<b>Reduction by 1/2 for filing by a small entity - \$</b>
				<b>TOTAL FILING FEE = \$ 1,402.00</b>

## 4. Fee Payment

Enclosed. A check in the amount of \$1,402.00 is enclosed for the filing fee and the \$130.00 surcharge as set forth in 37 C.F.R. 1.16(e).

If an Assignment is being filed as noted in paragraph 2 above, a separate check in the amount of \$40.00 is enclosed.

Authorization is given to charge \$ to Deposit Account 50-1349 for the fees due as specified above.

5.  **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3)

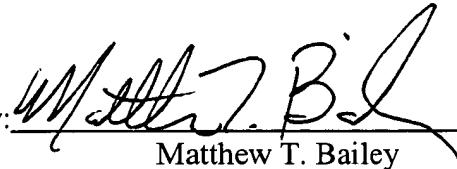
## 6. Other

- Information Disclosure Statement
- PTO-1449, \_\_ documents as listed
- Preliminary Amendment
- Claim for Priority
- Certified copy of Priority Document
- Substitute Drawings in compliance with 37 C.F.R. 1.84. (Eleven {11} Sheets)**

If there are any questions regarding the above-captioned patent application, please contact applicant's representative at the number given below.

Respectfully submitted,

**HOGAN & HARTSON LLP**

By:   
Matthew T. Bailey  
Reg. No. 33,829

Dated: August 9, 2001

**HOGAN & HARTSON LLP**  
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**Customer No. 24633**

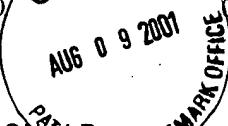


# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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 WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILED/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/845,770	05/02/2001	Mark A. Kampe	80168-0105 P5080

AUG 8 2001



24633  
 HOGAN & HARTSON, P.C.  
 IP GROUP, COLUMBIA SQUARE  
 555 THIRTEENTH STREET, N.W.  
 WASHINGTON, DC 20004

CONFIRMATION NO. 4958

## FORMALITIES LETTER



\*OC000000006217128\*

Date Mailed: 06/22/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/10/2001 MABDI1 00000039 09845770

### FILED UNDER 37 CFR 1.53(b)

01 FEE 01	710.00 OP
02 FEE 02	400.00 OP
03 FEE 03	162.00 OP
04 FEE 05	130.00 OP

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$562.
  - \$162 for 9 total claims over 20.
  - \$400 for 5 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1402.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*



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## Customer Service Center

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**

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